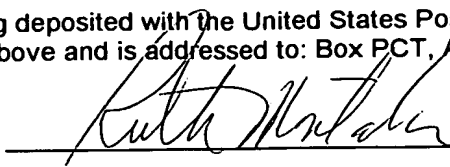


EXPRESS MAIL No.: EL 138 360 292 US

Deposited: April 3, 2000

I hereby certify that this correspondence is being deposited with the United States Postal Service Express mail under 37 CFR 1.10 on the date indicated above and is addressed to: Box PCT, Assistant Commissioner for Patents, Washington, DC 20231

 / Ruth Montalvo

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

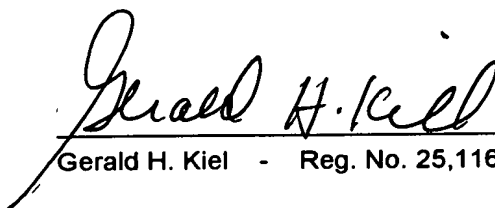
Docket No.: GK-EIS-1028  
Applicant(s): Detlef WEISE and Joerg RIMKUS  
Serial No.: 09/462,049 (Nat'l Ph. of PCT/EP98/03981 30JUNE98)  
Filed: Concurrently herewith  
For: METHOD AND DEVICE FOR SIGNAL CODING

TRANSMITTED HERewith IS THE FOLLOWING

- X 1. Transmittal Letter to the United States Designated/Elected Office (PTO-1390);
- X 2. Executed Declaration/POA;
- X 3. Forms PCT/DO/EO/905 and 917 dated 6MAR00;
- X 4. Check in the amount of \$ 130.00

The Commissioner is hereby authorized to charge any additional fees required with this submission or to credit any overpayment to Deposit Account No: 13-0025.

Respectfully submitted,

  
Gerald H. Kiel - Reg. No. 25,116

GHK:ram

04/10/2000 UNILKER 00000020 09462049  
01 FC:154 130.00 OP

Attorney's Docket No.:	GK-EIS-1028	
U.S. Application No.:	09/462,049	
International Application No.:	PCT/EP98/03981	
International Filing Date:	JUNE 30, 1998	30 JUNE 1998
Priority Date Claimed:	JULY 1, 1997	1 JULY 1997
Title of Invention:	METHOD AND DEVICE FOR SIGNAL CODING	
Applicant(s) for (DO/EO/US):	Detlef WEISE and Joerg RIMKUS	

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- ☐ 1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- ☒ 2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
- ☐ 3. This express request to begin national examination procedures [35 U.S.C. 371 (f)] at any time rather than delay examination until the expiration of the applicable time limit set forth in 35 U.S.C. 371(b) and PCT Articles 22 and
- ☐ 4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
- ☐ 5. A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
  - a) ☐ is transmitted herewith (required only if not transmitted by the International Bureau)
  - b) ☐ has been transmitted by the international Bureau
  - c) ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
- ☐ 6. A translation of the International Application into English [35 U.S.C. 371(c)(2)]
- ☐ 7. Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]
  - a) ☐ are transmitted herewith (required only if not transmitted by the International Bureau)
  - b) ☐ have been transmitted by the International Bureau
  - c) ☐ have not been made; however, the time limit for making such amendments has **NOT** expired.
  - d) ☐ have not been made and will not be made
- ☐ 8. A translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)]
- ☒ 9. An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)]
- ☐ 10. A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)]

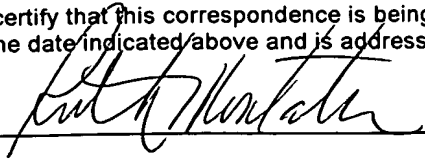
Items 11. to 16. below concern other document(s) or information included:

- ☐ 11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98
- ☐ 12. An Assignment document for recording. A separate cover sheet (PTO-1595) in compliance with 37 CFR 3.28 and 3.31 is included.
- ☐ 13. ☒ A **FIRST** preliminary amendment  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment
- ☐ 14. A substitute specification
- ☐ 15. A change of power of attorney and/or address letter
- ☒ 16. (other items or information) **Forms: PCT/DOEO/905 and 917 dated March 3, 2000**

EXPRESS MAIL No.: EL 138 360 292 US

Deposited: April 3, 2000

I hereby certify that this correspondence is being deposited with the United States Postal Service Express mail under 37 CFR 1.10 on the date indicated above and is addressed to: BOX PCT, Assistant Commissioner for Patents, Washington, DC 20231.



/Ruth Montalvo Date: April 3, 2000

					CALCULATIONS	PTO USE ONLY
<input checked="" type="checkbox"/> <b>17. The following fees are submitted:</b> BASIC NATIONAL FEE [37 CFR 1.492(a)(1)-(5)]						
[ ] Search Report has been prepared by the EPO or JPO..... \$ 840.00						
[ ] International preliminary examination fee paid to USPTO [37 CFR 1.482]..... \$ 670.00						
[ ] No International preliminary examination fee paid to USPTO [37 CFR 1.482] but International search fee paid to USPTO [37 CFR 1.445(a)(2)]..... \$ 760.00						
[ ] Neither International preliminary examination fee [37 CFR 1.482] nor International search fee [37 CFR 1.445(a)(2)] paid to USPTO..... \$ 970.00						
[ ] International preliminary examination fee paid to USPTO [37 CFR 1.482] and all claims satisfied provisions of PCT Article 33(1)-(4)..... \$ 96.00						
ENTER APPROPRIATE BASIC FEE AMOUNT:					\$ .00	
Claims	Number filed		Number extra	Rate		
Total Claims		-20		x \$ 18. =		
Indep. Claims		-03		x \$ 78. =		
[ ] Multiple Dependent Claim(s) (if applicable)				+ \$260. =		
TOTAL OF ABOVE CALCULATIONS:					\$ .00	
Surcharge of \$130.00 for furnishing the oath or declaration later than [ ] 20 [X] 30 months from the earliest claimed priority date [37 CFR 1.492(e)]					\$ 130.00	
TOTAL OF ABOVE CALCULATIONS:					\$ 130.00	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must be filed. [Note 37 CFR 1.9, 1.27, 1.28]					\$ .00	
SUBTOTAL:					\$ 130.00	
Processing fee of \$130.00 for furnishing the English Translation later than [ ] 20 [ ] 30 months from the earliest claimed priority date [37 CFR 1.492(f)]					\$ .00	
TOTAL NATIONAL FEE:					\$ 130.00	
Fee for recording the enclosed assignment [37 CFR 1.21(h)] The assignment must be accompanied by an appropriate cover sheet (PTO-1595) [37 CFR 3.28, 3.31]. \$ 40.00 per property +					\$ .00	
TOTAL FEE(S):					\$ 130.00	
AMOUNTS TO BE REFUNDED OR CHARGED					REFUNDED CHARGED	\$ \$
<input checked="" type="checkbox"/> Check in the amount of <b>\$ 130.00</b> to cover the above fees is enclosed. (The Commissioner is hereby authorized to charge any additional fees required with this submission or to credit any overpayment to Deposit Account No: 13-0025.)						
<b>NOTE:</b> Where an appropriate time limit under 36 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the application to pending status.						
<b>SEND ALL CORRESPONDENCE TO:</b> Gerald H. Kiel, Esq. McAulay Nissen Goldberg Kiel & Hand, LLP 261 Madison Avenue New York, NY 10016-2391						
Gerald H. Kiel		Signature		25,116	April 3, 2000	
Name (Tel. (212) 986-4090)				Reg. No.	Date	



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C., 20231

09/462049		FIRST NAMED APPLICANT		ATTY DOCKET NO	
09/462,049		WEISE		D GR-EIS-1028	
GERALD H KIEL MCAULAY NISSEN GOLDBERG KIEL & HAND 261 MADISON AVENUE NEW YORK NY 10016-2391					
5071					
PCT/EP98/03981					
I.A. FILING DATE PRIORITY DATE					
06/30/98 07/01/97					
DATE MAILED 03/03/00					

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),  
☒ an Elected Office (37 CFR 1.495):

- ☒ U.S. Basic National Fee.  
☒ Copy of the international application in:  
☒ a non-English language.  
☐ English.

- ☒ Translation of the international application into English.  
☒ Oath or Declaration of inventors(s) for DO/EO/US.  
☐ Copy of Article 19 amendments.  
☐ Translation of Article 19 amendments into English.  
☒ The International Preliminary Examination Report in English and its Annexes, if any.  
☒ Translation of Annexes to the International Preliminary Examination Report into English.  
☒ Preliminary amendments; filed 30 DEC 1997 and \_\_\_\_\_  
☒ Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_  
☐ Assignment document.  
☐ Power of Attorney and/or Change of Address.  
☐ Substitute specification filed \_\_\_\_\_  
☐ Statement Claiming Small Entity Status.  
☒ Priority Document.  
☒ Copy of the International Search Report ☐ and copies of the references cited therein.  
☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.  
☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).  
☐ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.  
☒ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.  
☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.  
5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice MUST be returned with this response.**

Enclosed: ☒ PCT/DO/EO/917 ☐ Notice of Defective Translation  
☒ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Telephone: (703)

Winston Alvarado  
National Stage Processing  
Paralegal Specialist  
(703) 305-8421



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

09/462049

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/462,049	WEISE	GK-EIS-1028

GERALD H KIEL  
MCAULAY NISSEN GOLDBERG KIEL & HAND  
261 MADISON AVENUE  
NEW YORK, NY 10016-2391

5071

INTERNATIONAL APPLICATION NO.

PCT/EP98/03981

I.A. FILING DATE

PRIORITY DATE

06/30/98

07/01/97

03/03/00

DATE MAILED:

#### NOTIFICATION OF A DEFECTIVE OATH OR DECLARATION

This application fails to contain an oath or declaration acceptable under 35 U.S.C. 371 (c)(4) for entry into the national stage in the United States of America. The period within which to correct these requirements and avoid abandonment is set in the accompanying Office action.

A new oath or declaration, identifying this application by the international application number and international filing date is required. The oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:

1. ☒ is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
2. ☒ does not identify the specification to which it is directed.
3. ☐ does not identify the inventor(s).
4. ☐ does not identify the citizenship of each inventor.
5. ☐ does not state the person making the oath or declaration believes the named inventor or inventors to be the original and first inventor or inventors of the subject matter which is claimed and for which a patent is sought.

**FAILURE TO SUBMIT AN OATH OR DECLARATION IN COMPLIANCE WITH 37 CFR 1.497(a) AND (b) WITHIN THE TIME PERIOD SET WILL RESULT IN FAILURE TO ENTER THE NATIONAL STAGE AND THE ABANDONMENT OF THE APPLICATION.**

Additionally, the oath or declaration does not comply with 37 CFR 1.63 in that it:

1. ☐ does not identify the city and state or city and foreign country of residence or each inventor.
2. ☐ does not state that the person making the oath or declaration:
  - a. ☐ has reviewed and understands the contents of the specification, including the claims, as amended by any amendment specifically referred to in the oath or declaration.
  - b. ☐ acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.
3. ☐ does not identify the foreign application for patent or inventor's certificate on which priority is claimed pursuant to 37 CFR 1.55, and any foreign application having a filing date before that of the application on which priority is claimed, by specifying the application serial number, country, day, month, and year of its filing.
4. ☐ does not state that the person making the oath or declaration acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and filing date of the continuation in part application which discloses and claims subject matter in addition to that disclosed in the prior application (37 CFR 1.63(d)).

Winston Alvarado  
National Stage Processing

Patent Specialist  
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